

Union Calendar No. 124

106TH CONGRESS
1ST SESSION

H. R. 1431

[Report No. 106-218]

To reauthorize and amend the Coastal Barrier Resources Act.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1999

Mr. SAXTON introduced the following bill; which was referred to the
Committee on Resources

JULY 1, 1999

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 15, 1999]

A BILL

To reauthorize and amend the Coastal Barrier Resources
Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Coastal Barrier Re-*
5 *sources Reauthorization Act of 1999”.*

1 **SEC. 2. ADDITIONS TO COASTAL BARRIER RESOURCES SYS-**
 2 **TEM.**

3 (a) *VOLUNTARY ADDITIONS.*—Section 4 of the Coastal
 4 Barrier Resources Act (16 U.S.C. 3503) is amended by add-
 5 ing at the end the following:

6 “(d) *VOLUNTARY ADDITIONS TO SYSTEM.*—The Sec-
 7 retary may add any parcel of real property to the System,
 8 if—

9 “(1) the owner of the parcel requests that the
 10 Secretary add the parcel to the System; and

11 “(2) the parcel is a depositional geologic feature
 12 described in section 3(1)(A).”.

13 (b) *TECHNICAL AMENDMENTS RELATING TO ADDI-*
 14 *TIONS OF EXCESS PROPERTY.*—

15 (1) *IN GENERAL.*—Section 4(d) of the Coastal
 16 Barrier Improvement Act of 1990 (16 U.S.C. 3503
 17 note)—

18 (A) is redesignated and moved so as to ap-
 19 pear as subsection (e) of section 4 of the Coastal
 20 Barrier Resources Act (16 U.S.C. 3503); and

21 (B) is amended—

22 (i) in paragraph (1) by striking “one
 23 hundred and eighty” and inserting “180”;

24 (ii) in paragraph (2) by striking “sub-
 25 section (d)(1)” and inserting “paragraph
 26 (1)”; and

1 *(iii) by striking paragraph (3).*

2 *(2) CONFORMING AMENDMENT.—Section 4(f) of*
 3 *the Coastal Barrier Improvement Act of 1990 (16*
 4 *U.S.C. 3503 note) is repealed.*

5 *(c) NOTICE REGARDING ADDITIONS TO SYSTEM.—Sec-*
 6 *tion 4 of the Coastal Barrier Resources Act (16 U.S.C.*
 7 *3503) is further amended by adding at the end the fol-*
 8 *lowing:*

9 *“(f) NOTICE REGARDING ADDITIONS TO SYSTEM.—*
 10 *The Secretary shall—*

11 *“(1) publish in the Federal Register a notice of*
 12 *any addition of property to the System under this*
 13 *section, including notice of the availability of a map*
 14 *showing the location of the property;*

15 *“(2) provide a copy of that map to the State and*
 16 *local government in which the property is located and*
 17 *the Committee on Resources of the House of Rep-*
 18 *resentatives; and*

19 *“(3) revise the maps referred to in subsection (a)*
 20 *to reflect the addition of the property to the System.”.*

21 *(d) CONFORMING AMENDMENT.—Subsection (a) of sec-*
 22 *tion 4 of the Coastal Barrier Resources Act (16 U.S.C.*
 23 *3503(a)) is amended by striking “, which shall consist of”*
 24 *and all that follows through the end of that subsection and*
 25 *inserting the following: “, that—*

1 “(1) shall consist of those undeveloped coastal
 2 barriers and other areas located on the coasts of the
 3 United States that are identified and generally de-
 4 picted on the set of maps on file with the Secretary
 5 entitled ‘Coastal Barrier Resources System’, dated Oc-
 6 tober 24, 1990, as such maps may be modified, re-
 7 vised, corrected, or replaced under subsection (c), (d),
 8 or (e) of this section, or any other provision of law
 9 enacted on or after November 2, 1990, that specifi-
 10 cally authorizes the modification, revision, correction,
 11 or replacement; and

12 “(2) includes areas added to the System in ac-
 13 cordance with subsections (d) or (e).”.

14 **SEC. 3. CLERICAL AMENDMENTS.**

15 (a) *COASTAL BARRIER RESOURCES ACT.*—*The Coastal*
 16 *Barrier Resources Act (16 U.S.C. 3501 et seq.) is*
 17 *amended—*

18 (1) *in section 3(3) (16 U.S.C. 3502(3)), in the*
 19 *matter following subparagraph (D), by striking “Ef-*
 20 *fective October 1, 1983, such” and inserting “Such”;*
 21 *and*

22 (2) *by repealing sections 10 and 11 (16 U.S.C.*
 23 *3509, 97 Stat. 1658).*

1 (b) *COASTAL BARRIER IMPROVEMENT ACT OF 1990.*—
 2 *Section 8 of the Coastal Barrier Improvement Act of 1990*
 3 *(16 U.S.C. 3503 note) is repealed.*

4 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

5 *Section 12 of the Coastal Barrier Resources Act (16*
 6 *U.S.C. 3510) is redesignated as section 10 and amended*
 7 *to read as follows:*

8 **“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

9 *“There are authorized to be appropriated to the Sec-*
 10 *retary to carry out this Act \$1,000,000 for each of fiscal*
 11 *years 2000, 2001, 2002, 2003, and 2004.”.*

12 **SEC. 5. DIGITAL MAPPING PILOT PROJECT.**

13 (a) *REQUIREMENT TO UNDERTAKE PROJECT.*—

14 (1) *IN GENERAL.*—*The Secretary of the Interior,*
 15 *in consultation with the Director of the Federal*
 16 *Emergency Management Agency, shall undertake a*
 17 *pilot project to determine the feasibility and cost of*
 18 *creating digital versions of the Coastal Barrier Re-*
 19 *sources System maps referred to in section 4(a)(1) of*
 20 *the Coastal Barrier Resources Act, as amended by*
 21 *this Act. The pilot project shall include the creation*
 22 *of digital maps for at least 5 units of the System.*

23 (2) *USE OF EXISTING DATA.*—(A) *To the extent*
 24 *practicable, in completing the pilot project under this*
 25 *subsection, the Secretary shall use existing digital*

1 *spatial data including digital orthophotos; shoreline,*
2 *elevation, and bathymetric data; and electronic navi-*
3 *gational charts in the possession of other Federal*
4 *agencies, including the United States Geological Sur-*
5 *vey and the National Oceanic and Atmospheric Ad-*
6 *ministration.*

7 *(B) The head of any Federal agency that pos-*
8 *sesses digital spatial data referred to in subparagraph*
9 *(A) shall promptly provide that data to the Secretary*
10 *at no cost upon request by the Secretary.*

11 *(3) OBTAINING ADDITIONAL DATA.—If the Sec-*
12 *retary determines that data necessary to complete the*
13 *pilot project under this subsection does not exist, the*
14 *Secretary shall enter into an agreement with the Di-*
15 *rector of the United States Geological Survey under*
16 *which the Director shall obtain, in cooperation with*
17 *other Federal agencies, as appropriate, and provide to*
18 *the Secretary any digital spatial data required to*
19 *carry out this subsection.*

20 *(4) DATA STANDARDS.—All digital spatial data*
21 *used or created to carry out this subsection shall com-*
22 *ply with the National Spatial Data Infrastructure es-*
23 *tablished by Executive Order 12906 and any other*
24 *standards established by the Federal Geographic Data*

1 *Committee established by the Office of Management*
2 *and Budget Circular A-16.*

3 (5) *DIGITAL MAPS NOT CONTROLLING.*—*Any de-*
4 *termination of whether a location is inside or outside*
5 *of the System shall be made without regard to the dig-*
6 *ital maps prepared under this subsection.*

7 (6) *REPORT.*—(A) *Not later than 2 years after*
8 *the date of the enactment of this Act, the Secretary*
9 *shall submit a report to the Committee on Resources*
10 *of the House of Representatives that describes the re-*
11 *sults of the pilot project and the feasibility, data*
12 *needs, and costs of completing digital maps for the*
13 *entire System.*

14 (B) *The report shall include a description of—*

15 (i) *the cooperative agreements entered into*
16 *by the Secretary with other Federal agencies to*
17 *complete the pilot project and cooperative agree-*
18 *ments needed to complete digital mapping of the*
19 *entire System;*

20 (ii) *the availability of existing data to com-*
21 *plete digital mapping of the entire System;*

22 (iii) *the need for additional data to com-*
23 *plete digital mapping of the entire System; and*

24 (iv) *the funding needed to complete digital*
25 *mapping of the entire System.*

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 2 *authorized to be appropriated to the Secretary of the Inte-*
 3 *rior \$500,000 for each of fiscal years 2000, 2001, and 2002*
 4 *to carry out the pilot project required under this section.*

5 **SEC. 6. CORRECTIONS TO MAPS RELATING TO UNIT P19-P.**

6 (a) *IN GENERAL.*—*The Secretary of the Interior shall,*
 7 *before the end of the 30-day period beginning on the date*
 8 *of the enactment of this Act, make such corrections to the*
 9 *map described in subsection (b) as are necessary to ensure*
 10 *that depictions of areas on that map are consistent with*
 11 *the depictions of areas appearing on the map relating to*
 12 *unit P19-P entitled “Amendment to the Coastal Barrier*
 13 *Resources System” and dated September 16, 1998.*

14 (b) *MAP DESCRIBED.*—*The map described in this sub-*
 15 *section is the map that—*

16 (1) *is included in a set of maps entitled “Coastal*
 17 *Barrier Resources System”, dated November 2, 1994;*
 18 *and*

19 (2) *relates to unit P19-P of the Coastal Barrier*
 20 *Resources System.*

21 **SEC. 7. REPLACEMENT OF MAPS RELATING TO UNITS NC-**
 22 **03P AND L03.**

23 (a) *IN GENERAL.*—*The 7 maps included in the set of*
 24 *maps entitled “Coastal Barrier Resources System” and re-*
 25 *ferred to in section 4(a)(1) of the Coastal Barrier Resources*

1 *Act, as amended by this Act, relating to the portions of*
 2 *Coastal Barrier Resources System units NC-03P and L03*
 3 *located in Dare County, North Carolina, are hereby re-*
 4 *placed by other maps relating to that unit that are entitled*
 5 *“DARE COUNTY, NORTH CAROLINA, Coastal Barrier*
 6 *Resources System, Cape Hatteras Unit NC-03P” and*
 7 *“DARE COUNTY, NORTH CAROLINA, Coastal Barrier*
 8 *Resources System, Cape Hatteras Unit NC-03P and Hat-*
 9 *teras Island Unit L03” and dated May 26, 1999.*

10 *(b) AVAILABILITY.—The Secretary of the Interior shall*
 11 *keep the maps referred to in subsection (a) on file and avail-*
 12 *able for inspection in accordance with the provisions of sec-*
 13 *tion 4(b) of the Coastal Barrier Resources Act (16 U.S.C.*
 14 *3503(b)).*

15 **SEC. 8. CORRECTIONS TO MAP RELATING TO UNIT DE-03P.**

16 *(a) IN GENERAL.—Not later than 30 days after the*
 17 *date of enactment of this Act, the Secretary of the Interior*
 18 *shall make such corrections to the map described in sub-*
 19 *section (b) as are necessary to move on that map the bound-*
 20 *ary of the otherwise protected area (as defined in section*
 21 *12 of the Coastal Barrier Improvement Act of 1990 (16*
 22 *U.S.C. 3503 note; Public Law 101-591)) to the Cape Hen-*
 23 *lopen State Park boundary to the extent necessary—*

24 *(1) to exclude from the otherwise protected area*
 25 *the adjacent property leased, as of the date of enact-*

1 *ment of this Act, by the Barcroft Company and Cape*
2 *Shores Associates (which are privately held corpora-*
3 *tions under the law of the State of Delaware); and*

4 *(2) to include in the otherwise protected area the*
5 *northwestern corner of Cape Henlopen State Park*
6 *seaward of the Lewes and Rehoboth Canal.*

7 *(b) MAP DESCRIBED.—The map described in this sub-*
8 *section is the map that is included in a set of maps entitled*
9 *“Coastal Barrier Resources System”, dated October 24,*
10 *1990, as revised October 15, 1992, and that relates to the*
11 *unit of the Coastal Barrier Resources System entitled “Cape*
12 *Henlopen Unit DE–03P”.*

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